

**Objection to the Abstract**

In paragraph 3 of the Action, the Abstract was objected to for informalities identified therein. Applicant acknowledges and apologizes for the informalities identified. In response, Applicant has replaced the original Abstract with that presented above. Applicant verily believes that the new Abstract overcomes the objection, and respectfully requests that such objection be withdrawn.

**§102(b) Rejection of Claims 1-20**

In paragraphs 4 and 5 of the Action claims 1 and 3-20 were rejected as being anticipated by a patent issued to Woods (USP 5,881,311), pursuant to 35 USC §102(b). In response, Applicant traverses the rejection of such claims.

It is well-settled that in order to establish a prima facie basis of anticipation under §102(b), the Office must cite a single reference which teaches each and every element as presented in the rejected claim. In this case, Applicant respectfully submits that the Action has failed to meet this burden, and that a prima facie basis of anticipation based on Woods has not been established.

Woods is directed to a redundant array of independent disk (RAID) storage system with block-based data management (see, e.g., Abstract, Figs. 3-6 and associated language in the specification).

In contradistinction, the claims of the pending application are generally directed to an adaptive scheduling of function calls within a dynamically reconfigurable logic device. The Woods patent is devoid of any teaching or suggestion of the dynamic reconfiguration of a hardware architecture such as, e.g., the claimed reconfigurable logic partitions, much less a

method of scheduling function calls comprising "processing each function call identified within the software program into a hard implementation for hard execution..., and into a soft implementation for soft execution", as presented in rejected claim 1. In this regard, Woods cannot be read to anticipate or even obviate the claimed invention.

Insofar as the Action has failed to present a prima facie argument of anticipation for rejected claim 1, Applicant respectfully requests that the §102(b) rejection thereof be withdrawn.

Similarly, with respect to newly introduced claims 21 and 28, Applicant respectfully submits that the Woods reference fails to anticipate or suggest the required limitation of reconfigurable logic, as presented in the pending application. In this regard, the reference cannot be read to support a prima facie basis of anticipation, according to §102(b).

Applicant notes that claims 3-20, 22-27 and 29-33 are dependent upon patentable base claims 1, 21 or 28, respectively. Accordingly, in addition to any independent bases for patentability, Applicant respectfully submits that such claims are likewise patentable over the Woods reference by virtue of at least such dependency. Thus, Applicant respectfully requests that the §102(b) rejection of claims 2-20 be withdrawn.

### **§103(a) Rejection of Claim 2**

In paragraphs 6 and 7 of the Action, claim 2 was rejected as being obvious over Woods in view of a patent issued to Hellerstrand, et al. (USP 6,263,302). In response, Applicant respectfully traverses the rejection of this claim.

In particular, without accepting the appropriateness of the combination, Applicant respectfully submits that the Hellerstrand reference is not introduced as curing, nor does it cure

the deficiencies of Woods identified above. In this regard, Applicant respectfully submits that claim 1 is not obvious in view of the Woods and Hellerstrand references.

Applicant notes that claims 2 is dependent on patentable base claim 1. Thus, in addition to any independent bases for patentability, Applicant respectfully submits that claim 2 is similarly patentable over the cited references by virtue of at least such dependency. Accordingly, Applicant respectfully requests that the §103(a) rejection of claim 2 be withdrawn.

#### CONCLUSION

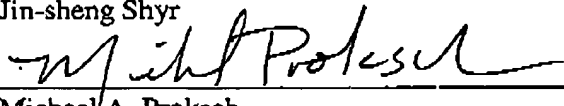
In light of at least the foregoing remarks, Applicant respectfully submits that claims 1-33 are in condition for allowance and earnestly requests prompt notice thereof. *Applicant respectfully invites the Examiner to contact the undersigned representative for a telephone conference if it determined that such a conference could lead to allowance of one or more of the pending claims.*

Should it be determined that any additional fee is required, or overage returned, in association with this response, please debit or credit my deposit account number 50-0221 as appropriate.

Dated: August 4<sup>th</sup>, 2004

by:

Respectfully submitted,  
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